

REMARKS/ARGUMENTS

Claims 10, 13, and 16-23 are pending in this application. By this amendment, Applicant amends Claims 10 and 13, cancels Claims 12, 14, and 15, and adds new Claims 21-23.

Applicant appreciates the Examiner's indication that claims 17 and 18 are allowed, and that claims 14 and 15 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims.

Applicant greatly appreciates the courtesies extended by the Examiner in the personal Interview of November 3, 2009.

In the Personal Interview, Applicant's counsel indicated that Claim 10 would be amended to include all of the features of allowable Claim 14 and intervening Claim 12, and that a new Claim 21 would be added which corresponds to allowable Claim 15 rewritten in independent form including all of the features of Claim 10 and intervening Claim 12.

Regarding Claim 19, Applicant's counsel explained the features recited therein and the reasons why Asakura (JP 11-111554) fails to teach or suggest the unique combination and arrangement of features recited therein. Particularly, Applicant's counsel explained why Asakura fails to teach or suggest the features of "each of the internal electrodes of the first group includes a first internal electrode connected to the first external electrode and a second internal electrode connected to the second external electrode which face each other through the ceramic resistance layer" and "an end of the internal electrode of the first group that is arranged closest to the second group overlaps, in the lamination direction of the laminated sinter, with the first end of one of the third and fourth internal electrodes that is arranged closest to the first group" as recited in Claim 19.

The Examiner agreed that Asakura fail to teach or suggest the unique combination and arrangement of features recited in Applicant's Claim 19.

Claims 10, 12, 13, 16, 19, and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Asakura.

Application No. 10/595,232
November 6, 2009
Reply to the Office Action dated September 9, 2009
Page 10 of 10

Applicant's Claim 10 has been amended to include all of the features of allowable Claim 14 and intervening Claim 12. Applicant's new Claim 21 corresponds to allowable Claim 15 rewritten in independent form including all of the features of Claim 10 and intervening Claim 12. Applicant's new Claims 22 and 23 correspond to Applicant's Claims 13 and 16 and are dependent upon Claim 21.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of Claims 10 and 19 under 35 U.S.C. § 102(b) as being anticipated by Asakura.

In view of the foregoing amendments and remarks, Applicant respectfully submits that Claims 10, 19, and 21 are allowable. Claims 13, 16, 20, 22, and 23 depend upon Claims 10, 19, and 21, and are therefore allowable for at least the reasons that Claims 10, 19, and 21 are allowable. Claims 17 and 18 have been allowed by the Examiner.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Date: November 6, 2009

/Christopher A. Bennett, #46,710/
Attorneys for Applicant

KEATING & BENNETT, LLP
1800 Alexander Bell Drive, Suite 200
Reston, VA 20191
Telephone: (571) 313-7440
Facsimile: (571) 313-7421

Joseph R. Keating
Registration No. 37,368

Christopher A. Bennett
Registration No. 46,710